

**APPROVED
CODE ENFORCEMENT BOARD
SEMINOLE COUNTY, FLORIDA**

MINUTES

**September 23, 2004 - 1:30 pm
Seminole County Services Building – Room 1028
1101 East First St, Sanford FL**

I Call to Order

The scheduled meeting of the Seminole County Code Enforcement Board was called to order at 1:32 pm in the Seminole County Services Building, Room 1028, 1101 East First St, Sanford FL.

A few moments of silence was held followed by the Pledge of Allegiance.

II Pledge of Allegiance

III Roll Call

Members Present: Tom Hagood, Chair
 Stewart Fritz
 Anne Blakey
 Bill Fahey
 Jay Ammon
 Larry Lawver

Members Excused: Jean Metts

Present & Sworn: Jennifer Eden, Attorney for Respondent, Bill Heard,
 04-61-CEB and 01-53-CEB
 Douglas McBrayer, Respondent, 04-63-CEB
 James Johnson, Son of Respondent, 04-67-CEB
 Ethel Stribling, Respondent, 04-17-CEB
 Lajuana Steward, Representative for Respondent, 04-44-CEB
 Elfriede Arsenault, Daughter of Respondent, 04-46-CEB
 Deborah Leigh, Senior Code Enforcement Officer, SCSO
 Dorothy Hird, Code Enforcement Officer, SCSO
 Pamela Taylor, Code Enforcement Officer, SCSO
 Joann Davids, Code Enforcement Officer, SCSO
 Jerry Robertson, Code Enforcement Officer, SCSO
 Donna Wisniewski, Code Enforcement Officer, SCSO

Others Present: Daniel F. Mantzaris, Code Enforcement Board Attorney
 Connie R. DeVasto, Clerk to the Code Enforcement Board

IV Swearing in of Witnesses

None

.....

V Agenda Update & Approval

The published agenda was revised to allow respondents and witnesses present at today's hearing to be heard first. The remaining cases would then be heard in the order originally published.

**MOTION BY ANNE BLAKEY, SECONDED BY JAY AMMON
TO APPROVE THE REVISED AGENDA.**

**TOM HAGOOD – YES
STEWART FRITZ – YES
JAY AMMON – YES**

**BILL FAHEY – YES
ANNE BLAKEY – YES
LARRY LAWVER – YES**

MOTION CARRIED 6 – 0.

.....

The following case will not be heard today:

Faisal Asgarali, 04-66-CEB, Complied Prior to Hearing

.....

SEMINOLE COUNTY CODE ENFORCEMENT BOARD HEARING
SEPTEMBER 23, 2004

Case No: 04-61-CEB
Bill Heard Chevrolet Corp.
CT Corporation System, Registered Agent
Code Enforcement Officer: Deborah Leigh
Complaint No: 2004CE000168

This is a new case that was continued from the August 26 meeting at the request of the Respondent's Attorney. This case has not been heard by the Board.

Violation Charged: Seminole County Land Development Code, Section 30.466 as provided for in Section 1.4 Penalties, Final Site Plan Approval, and Section 30.1245, Prohibited Signs.

Described as: 1) Outdoor speaker sound amplification systems are prohibited according to the Final PCD Site Plan Developer's Commitment Agreement.
2) Prohibited signage displayed.

Location: 125-127 Oregon Street, Sanford (Commission District 5)
Tax Parcel ID # 29-19-30-300-0070-0000

Deborah Leigh, Senior Code Enforcement Officer, testified on behalf of the County and entered into evidence documentation regarding the violations. Officer Leigh testified that the Respondent is in compliance at this time.

Officer Leigh further testified that the Seminole County Sheriff's Office had received several complaints from citizens stating that the outdoor amplification could be heard after business hours. One complaint was received at 2:45 AM.

Jennifer Eden, Attorney for the Respondent, testified that the Respondent is in the process of seeking to change or amend the Development Order to allow outdoor amplification during regular business hours.

Ms. Eden made an inquiry as to whether the Respondent would be able to use the outdoor amplification during regular business hours until the amendment to the Development Order is approved.

Officer Leigh advised that her recommendation would be that the Respondent must cease and desist from the use of outdoor amplification until the Development Order has been changed to allow for such use.

After discussion of this case by the Board:

**MOTION BY LARRY LAWVER, SECONDED BY ANNE BLAKEY THAT
THE FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER BE:**

FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER

Based on the testimony and evidence presented in case number 04-61-CEB, it is determined that the Respondent is:

- (a) the owner of record of the property (Tax Parcel ID # 29-19-30-300-0070-0000) located at 125-127 N Oregon, Sanford, located in Seminole County and legally described as follows:
SEC 29 TWP 19S RGE 30E BEG 25 FT E OF N ¼ COR RUN
N 528.13 FT E 1060.93 FT TO W R/W I-4
SLY ALONG WLY R/W I-4 TO N LI A/15A DESC IN ORB 2038
PG 250 S 76 DEG 58 MIN 8 SEC W 165 (M) FT S TO NLY R/W
SR 46 W TO ELY R/W WAYSIDE DR NLY ALONG ELY R/W TO
BEG
- (b) in possession or control of the property; and
- (c) in violation of Seminole County Land Development Code Section 30.466 as provided for in Section 1.4 Penalties, Final Site Plan Approval; Section 30.1245, Prohibited Signs.

It is hereby ordered that the Respondent is:

- (1) In compliance with Section 30.1245 (Prohibited Signage) as of this date (September 23, 2004); however, if this violation is repeated, a fine of **\$250.00 per day** will be imposed for each day the violation is repeat after **September 23, 2004** and;
- (2) In violation of having an outdoor amplification device as stated in Section 30.446 as provided for in Section 1.4 Penalties, Final Site Plan Approval, which includes the approved Development Order # 00-0004.

It is further ordered that the Respondent cease and desist the use of the outdoor amplification device until an amendment to the Development Order is approved. **If an amendment to the Development Order is not approved, remove all outdoor amplification devices by January 7, 2005.** If the Respondent fails to comply with section (2) of this Order, a fine of **\$250.00 per day** will be imposed for each day the violation continues or is repeated.

SEMINOLE COUNTY CODE ENFORCEMENT BOARD HEARING
SEPTEMBER 23, 2004

The Respondent is further ordered to contact the Seminole County Code Officer to arrange for an inspection of the property to verify compliance. Any fine imposed shall continue to accrue until such time as the Code Officer inspects the property and verifies compliance with this Order.

This Order shall be recorded in the official land records of Seminole County and shall constitute a lien against the land on which the violations exists and upon any other real or personal property owned by the Respondent.

DONE AND ORDERED this 23rd day of September, 2004, in Seminole County, Florida.

**TOM HAGOOD – YES
STEWART FRITZ – YES
JAY AMMON – YES**

**BILL FAHEY – YES
ANNE BLAKEY – YES
LARRY LAWVER – YES**

MOTION CARRIED 6 – 0.

.....
Case No: 01-53-CEB
Bill Heard Chevrolet Corp., CT Corporation
System, Registered Agent and Twentieth
Century Land Corp., (as former Property Owner)
Code Enforcement Officer: Jerry Robertson
Complaint No: 2001-03166

This case was continued from the August 26 meeting at the request of the Respondent's Attorney. This case was heard by the Board on July 26, 2001 and an Order was entered giving a compliance date of August 6, 2001. An Affidavit of Non-Compliance was filed by the Code Officer stating that the property continued to be in violation as of August 6, 2001. An Affidavit of Compliance was filed stating compliance was obtained on September 18, 2001. This property is presently in compliance.

Requested Board action: Staff requests that Board issue an Order constituting a lien in the amount of \$10,250.00, 41 days of non-compliance at \$250.00 per day from August 7, 2001 through September 17, 2001, be recorded in the public records.

SEMINOLE COUNTY CODE ENFORCEMENT BOARD HEARING
SEPTEMBER 23, 2004

Violation Charged: Seminole County Land Development Code, Chapter 30, Section 30.1245.
Described as: 1) Prohibited signs of banners, flags, pennants, balloons or similar displays unless otherwise provided for.
Location: 125-127 N. Oregon Street (Commission District 5)
Tax Parcel ID # 29-19-30-300-0070-0000

Deborah Leigh, Senior Code Enforcement Officer, testified on behalf of the County and advised the Board that the Respondent is presently in compliance.

Jennifer Eden, Attorney, testified on behalf of the Respondent and requested that the Board consider a reduction of the fine to \$1,000.00.

After discussion of this case by the Board:

**MOTION BY JAY AMMON, SECONDED BY LARRY LAWVER THAT
THE FINE BE REDUCED TO 10% OF THE TOTAL FINE AND PAID
WITHIN 30 DAYS AND THE ORDER IMPOSING FINE/LIEN BE:**

ORDER IMPOSING FINE/LIEN

The Respondent is the owner of record of the property (Tax Parcel ID # 29-19-30-300-0070-0000) located at 127 n. Oregon Street, Sanford, located in Seminole County and legally described as follows:

SEC 29 TWP 19S RGE 30E BEG 25 FT E OF N ¼ COR RUN
N 528.13 FT E 1060.93 FT TO W R/W I-4 SLY ALONG WLY
R/W I-4 TO N LI A/15A DESC IN ORB 2038 PG 250 S 76 DEG
58 MIN 8 SEC W 165 (M) FT S TO NLY R/W SR 46 W TO ELY
R/W WAYSIDE DR NLY ALONG ELY R/W TO BEG

This case came on for public hearing before the Code Enforcement Board of Seminole County on July 26, 2001 after due notice to the Respondent. The Board, having heard testimony under oath and having received evidence, issued its Findings of Fact, Conclusions of Law, and Order.

Said Order found Respondent in violation of Seminole County Land Development Code, Chapter 30, Section 30.1245.

SEMINOLE COUNTY CODE ENFORCEMENT BOARD HEARING
SEPTEMBER 23, 2004

Said Order stated that a fine in the amount of \$250.00 per day would be imposed if the Respondent did not take certain corrective action by August 6, 2001.

An Affidavit of Non-Compliance has been filed with the Board by the Code Officer, which Affidavit certifies under oath that the required action had not been obtained as of August 6, 2001.

An Affidavit of Compliance has been filed with the Board by the Code Officer, which Affidavit certifies under oath that the required action had been obtained as of September 18, 2001.

Accordingly, it having been brought to the Board's attention that Respondent has complied with the Order dated July 26, 2001. Compliance was obtained 41 days after the required date for compliance. Therefore, the Board orders the fine in the amount of \$10,250.00 for 41 days of non-compliance at \$250.00 per day, be **reduced** to a fine of \$1,025.00.

The Respondent shall have **30 days** in which to pay **\$1,025.00**. If the Respondent does not pay the **\$1,025.00 on or before October 25, 2004**, the fine will revert back to the original amount of \$10,250.00 and will constitute a lien against the land on which the violation exists and upon any other real or personal property owned by the Respondent.

This Order shall be recorded in the public records of Seminole County, Florida.

DONE AND ORDERED this 23rd day of September, 2004, in Seminole County, Florida.

**TOM HAGOOD – YES
STEWART FRITZ – YES
JAY AMMON – YES**

**BILL FAHEY – YES
ANNE BLAKEY – YES
LARRY LAWVER – YES**

MOTION CARRIED 6 – 0.

SEMINOLE COUNTY CODE ENFORCEMENT BOARD HEARING
SEPTEMBER 23, 2004

Case No: 04-63-CEB
Douglas & Marguerite M. McBrayer
Code Enforcement Officer: Pamela Taylor
Complaint No: 2004CE000356

New Case

Violation Charged: Seminole County Code 95.4, as defined in Section 95.3(g)(h)(l)(p).

Described as:

- 1) Accumulation of trash and debris.
- 2) Uncultivated vegetation in excess of 24" in height, within 75' of a structure.
- 3) Junk or abandoned vehicle not kept within an enclosed garage or an attached carport.
- 4) Objectionable, unsightly or unsanitary matter, substance or material.

Location: 203 Lakeview Drive, Sanford (Commission District 5)
Tax Parcel ID # 04-20-30-506-0500-0020

Pamela Taylor, Code Enforcement Officer, testified on behalf of the County and entered into evidence photographs of the violations. Officer Taylor also testified that the violations still remain on the property. Officer Taylor advised the Board that Staff would recommend a compliance date of October 7, 2004 and a fine of \$50.00 per day, per violation, if the Respondent does not comply by the required date.

Douglas McBrayer, Respondent, testified on his behalf and advised the Board that he has not been able to clean up the property because his wife has been ill and he has had many problems.

The Board asked the Respondent if he thought he could clean the property by October 7, 2004.

Mr. McBrayer advised the Board that October 7, 2004 would be fine.

After discussion of this case by the Board:

**MOTION BY JAY AMMON, SECONDED BY STEWART FRITZ THAT
THE FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER BE:**

FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER

Based on the testimony and evidence presented in case number 04-63-CEB, it is determined that the Respondents are:

- (a) the owners of record of the property (Tax Parcel ID # 04-20-30-506-0500-0020) located at 203 Lakeview Drive, Sanford, located in Seminole County and legally described as follows:
LEG LOT 2 BLK 5 LOCH ARBOR-PHILLIPS SEC PB 9 PG 66
- (b) in possession or control of the property; and
- (c) in violation of Seminole County Code, Chapter 95, Section 95.4 as defined in 95.3(g)(h)(l)(p).

It is hereby ordered that the Respondents correct the violations on or before **October 7, 2004**. In order to correct the violations, the Respondents shall take the following remedial action:

- 1) REMOVE THE ACCUMULATION OF TRASH AND DEBRIS.**
- 2) REMOVE THE UNCULTIVATED VEGETATION IN EXCESS OF 24” IN HEIGHT, WITHIN 75’ OF A STRUCTURE.**
- 3) REMOVE THE JUNKED OR ABANDONED VEHICLE NOT KEPT WITHIN AN ENCLOSED GARAGE OR AN ATTACHED CARPORT.**
- 4) REMOVE THE OBJECTIONABLE, UNSIGHTLY OR UNSANITARY MATTER, SUBSTANCE OR MATERIAL.**

If the Respondents do not comply with the Order, a fine of **\$50.00 per day, per violation** (for a possible total of \$200.00 per day) will be imposed for each day the violations continue, or are repeated after compliance past **October 7, 2004**. **The Respondents are further ordered to contact the Seminole County Code Officer to arrange for an inspection of the property to verify compliance. Any fine imposed shall continue to accrue until such time as the Code Officer inspects the property and verifies compliance with this Order.**

This Order shall be recorded in the official land records of Seminole County and shall constitute a lien against the land on which the violation exists and upon any other real or personal property owned by the Respondent.

SEMINOLE COUNTY CODE ENFORCEMENT BOARD HEARING
SEPTEMBER 23, 2004

DONE AND ORDERED this 23rd day of September, 2004, in Seminole County, Florida.

**TOM HAGOOD – YES
STEWART FRITZ – YES
JAY AMMON – YES**

**BILL FAHEY – YES
ANNE BLAKEY – YES
LARRY LAWVER – YES**

MOTION CARRIED 6 – 0.

.....

Case No: 04-67-CEB
Isiah & Ethel Troutman
C/o Annie Johnson
Code Enforcement Officer: Dorothy Hird
Complaint No: 2004CE000588

New Case

Violation Charged: Seminole County Code 95.4, as defined in Section 95.3(l).
Described as: 1) Junk or abandoned vehicle not kept within an enclosed garage or an attached carport.
Location: 111 Ford Avenue, Altamonte Springs (Commission District 4)
Tax Parcel ID # 07-21-30-505-0D00-0110

Dorothy Hird, Code Enforcement Officer, testified on behalf of the County and entered into evidence photographs of the violation. Officer Hird also testified that she inspected the property the day before the hearing and the violation still remains.

Officer Hird advised the Board that Staff would recommend a compliance date of October 8, 2004 and a fine of \$50.00 per day if the Respondent does not comply by the required date.

James Johnson, son of the Respondent Ethel Troutman Johnson, testified on his mother's behalf and advised the Board that they will remove the vehicle as soon as possible.

After discussion of this case by the Board:

**MOTION BY ANNE BLAKEY, SECONDED BY BILL FAHEY THAT
THE FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER BE:**

FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER

Based on the testimony and evidence presented in case number 04-67-CEB, it is determined that the Respondents are:

- (a) the owners of record of the property (Tax Parcel ID # 07-21-30-505-0D00-0110) located at 111 Ford Avenue, Altamonte Springs, located in Seminole County and legally described as follows:
LEG LOT 11 BLK D HARMONY HOMES
PB 13 PG 35
- (b) in possession or control of the property; and
- (c) in violation of Seminole County Code, Chapter 95, Section 95.4 as defined in 95.3(l).

It is hereby ordered that the Respondents correct the violation on or before **October 8, 2004**. In order to correct the violation, the Respondents shall take the following remedial action:

- 1) REMOVE THE JUNKED OR ABANDONED VEHICLES NOT BEING KEPT WITHIN AN ENCLOSED GARAGE OR AN ATTACHED CARPORT.**

If the Respondents do not comply with the Order, a fine of **\$50.00** will be imposed for each day the violation continues, or is repeated after compliance past **October 8, 2004**. **The Respondents are further ordered to contact the Seminole County Code Officer to arrange for an inspection of the property to verify compliance. Any fine imposed shall continue to accrue until such time as the Code Officer inspects the property and verifies compliance with this Order.**

This Order shall be recorded in the official land records of Seminole County and shall constitute a lien against the land on which the violation exists and upon any other real or personal property owned by the Respondents.

SEMINOLE COUNTY CODE ENFORCEMENT BOARD HEARING
SEPTEMBER 23, 2004

DONE AND ORDERED this 23rd day of September, 2004, in Seminole County, Florida.

**TOM HAGOOD – YES
STEWART FRITZ – YES
JAY AMMON – YES**

**BILL FAHEY – YES
ANNE BLAKEY – YES
LARRY LAWVER – YES**

MOTION CARRIED 6 – 0.

.....
Case No: 04-17-CEB
Ethel L. Stribling & Pamela L. Rush
Code Enforcement Officer: Dorothy Hird
Compliant No: 03-CE000204

This case was heard by the Board on February 19, 2004 and an Order was entered giving a compliance date of March 5, 2004. An Affidavit of Non-Compliance was filed by the Code Enforcement Officer stating that the property continued to be in violation as of March 8, 2004. This property is not in compliance at this time.

Requested Board action: Staff requests the Board issue an Order constituting a lien in the amount of \$10,050.00, 201 days of non-compliance from March 6, 2004 through and including September 23, 2004, at \$50.00 per day be recorded in the public records and the fine shall continue to accrue at \$50.00 per day for each day the violation is repeated past September 23, 2004.

Violation Charged: Seminole County Code, Chapter 95, Section 95.4 as defined in Section 95.3(e)(f)(g)(l).

Described as: 1) Unusable or abandoned furniture.
2) Unusable or abandoned appliances or other white goods.
3) Accumulation of trash and debris.
4) Junked or abandoned vehicle not kept within an enclosed garage or an attached carport.

Location: 308 Magnolia Street, Altamonte Springs (Commission District 4)
Tax Parcel ID # 07-21-30-505-0D00-0230

SEMINOLE COUNTY CODE ENFORCEMENT BOARD HEARING
SEPTEMBER 23, 2004

Dorothy Hird, Code Enforcement Officer, testified on behalf of the County and advised the Board that all of the violations have been removed except a motorcycle.

Ethel Stribling, Respondent, testified on her behalf and advised the Board that she is trying to get her Grandson to help her remove the motorcycle.

After discussion of this case by the Board:

MOTION BY JAY AMMON TO REMOVE THE FINE. THERE WAS NO SECOND ON THIS MOTION.

After additional discussion of this case by the Board:

MOTION BY LARRY LAWVER, SECONDED BY JAY AMMON TO RESCIND THE FINE UPON THE FILING OF AN AFFIDAVIT OF COMPLIANCE AND THE ORDER FINDING NON-COMPLIANCE AND IMPOSING FINE/LIEN BE:

ORDER FINDING NON-COMPLIANCE AND IMPOSING FINE/LIEN

The Respondents are the owners of record of the property (Tax Parcel # 07-21-30-505-0D00-0230) located at 308 Magnolia Street, Altamonte Springs, located in Seminole County and legally described as follows:

LEG LOT 23 (LESS S 135 FT) BLK D HARMONY HOMES
PB 13 PG 35

This case came on for public hearing before the Code Enforcement Board of Seminole County on the February 19, 2004, after due notice to the Respondents. The Board, having heard testimony under oath and having received evidence, issued its Findings of Fact, Conclusions of Law and Order.

Said Order found Respondents in violation of Seminole County Code, Chapter 95, Section 95.4 as defined in 95.3(e)(f)(g)(l).

Said Order stated that a fine in the amount of \$50.00 per day, would be imposed if the Respondents did not take certain corrective action by March 5, 2004.

An Affidavit of Non-Compliance has been filed with the Board by the Code Enforcement Officer, which Affidavit certifies under oath that the required action has not been obtained as of March 8, 2004.

SEMINOLE COUNTY CODE ENFORCEMENT BOARD HEARING
SEPTEMBER 23, 2004

Accordingly, it having been brought to the Board's attention that Respondents have not complied with the Order dated February 19, 2004, the Board orders that a fine of **\$10,050.00**, 201 days of non-compliance at \$50.00 per day for March 6, 2004 through and including September 23, 2004, **be rescinded effective the date the Code Enforcement Officer files an Affidavit of Compliance. Until such time, the fine shall continue to accrue at \$50.00 per day and upon the filing of the Affidavit of Compliance, an Order Rescinding the fine shall be executed.**

The Respondents must contact the Code Enforcement Officer to arrange for an inspection of the property to verify compliance. The fine imposed shall continue until such time as the Code Enforcement Officer inspects the property and establishes the date of compliance.

This Order shall be recorded in the official land records of Seminole County and shall constitute a lien against the land on which the violations exists and upon any other real or personal property owned by the Respondents.

DONE AND ORDERED this 23rd day of September, 2004, in Seminole County, Florida.

**TOM HAGOOD – YES
STEWART FRITZ – YES
JAY AMMON – YES**

**BILL FAHEY – YES
ANNE BLAKEY – YES
LARRY LAWVER – YES**

MOTION CARRIED 6 – 0.

.....
Case No: 04-44-CEB
Majestic Cove Homeowners Association
David Urban, Registered Agent
Code Enforcement Officer: Jerry Robertson
Complaint No: 2004CE000074

This case was heard by the Board on June 24, 2004 and an Order was entered giving a compliance date of July 29, 2004. An Affidavit of Non-Compliance was filed by the Code Enforcement Officer stating that the property continued to be in violation as of July 29, 2004. An Affidavit of Compliance was filed by the Code Officer stating that the property was in compliance as of August 6, 2004. This property is presently in compliance.

SEMINOLE COUNTY CODE ENFORCEMENT BOARD HEARING
SEPTEMBER 23, 2004

Requested Board action: Staff requests that Board issue an Order constituting a lien in the amount of \$300.00, 6 days of non-compliance at \$50.00 per day from July 30, 2004 through August 5, 2004, be recorded in the public records.

Violation Charged: Seminole County Code, Chapter 95, Section 95.4 as defined in Section 95.3(g).
Described as: 1) Accumulation of trash and debris.
Location: Common Area of Majestic Cove, Oviedo (Commission District 1)
Tax Parcel ID # 21-21-31-505-0E00-0000

Jerry Robertson, Code Enforcement Officer, testified on behalf of the County and advised the Board that the property is in compliance at this time.

Lajuana Steward, Representative, testified on behalf of the Respondents and made a request of the Board to reduce or rescind the fine imposed.

The Board inquired if Staff would oppose the fine being reduced or rescinded.

Officer Robertson advised that the Staff does not oppose.

After discussion of this case by the Board:

**MOTION BY JAY AMMON, SECONDED BY ANNE BLAKEY
THAT THE ORDER RESCINDING FINE/LIEN BE:**

ORDER RESCINDING FINE/LIEN

The Respondents are the owners of record of the property (Tax Parcel # 21-21-31-505-0E00-0000) located at the common area of Majestic Cove Subdivision, Oviedo, located in Seminole County and legally described as follows:

TRACT E MAJESTIC COVE PB 57 PG 78

This case came on for public hearing before the Code Enforcement Board of Seminole County on the June 24, 2004, after due notice to the Respondents. The Board, having heard testimony under oath and having received evidence, issued its Findings of Fact, Conclusions of Law and Order.

Said Order found Respondents in violation of Seminole County Code, Chapter 95, Section 95.4 as defined in Section 95.3(g).

SEMINOLE COUNTY CODE ENFORCEMENT BOARD HEARING
SEPTEMBER 23, 2004

Said Order stated that a fine in the amount of \$50.00 per day would be imposed if the Respondents did not take certain corrective action by July 29, 2004.

An Affidavit of Non-Compliance has been filed with the Board by the Code Enforcement Officer, which Affidavit certifies under oath that the required action had not been obtained as of July 29, 2004.

An Affidavit of Compliance has been filed with the Board by the Code Enforcement Officer, which Affidavit certifies under oath that the required action has been obtained as of August 6, 2004.

Accordingly, it having been brought to the Board's attention that Respondents have complied with the Order dated June 24, 2004, the Board orders that the fine of \$300.00, 6 days of non-compliance at \$50.00 per day imposed against the property, **be rescinded.**

This Order shall be recorded in the public records of Seminole County, Florida.

DONE AND ORDERED this 23rd day of September, 2004, in Seminole County, Florida.

**TOM HAGOOD – YES
STEWART FRITZ – YES
JAY AMMON – YES**

**BILL FAHEY – YES
ANNE BLAKEY – YES
LARRY LAWVER – YES**

MOTION CARRIED 6 – 0.

.....
Case No: 04-46-CEB
Frieda Koenig
Code Enforcement Officer: Dorothy Hird
Complaint No: 2003CE000365

This case was heard by the Board on June 24, 2004 and an Order was entered giving a compliance date of July 23, 2004. An Affidavit of Non-Compliance was filed by the Code Enforcement Officer stating that this property continued to be in violation as of July 27, 2004. An Affidavit of Compliance was filed by the Code Officer stating that the property was in compliance as of August 9, 2004. This property is presently in compliance.

SEMINOLE COUNTY CODE ENFORCEMENT BOARD HEARING
SEPTEMBER 23, 2004

Requested Board action: Staff requests that Board issue an Order constituting a lien in the amount of \$375.00, 15 days of non-compliance at \$25.00 per day from July 24, 2004 through August 8, 2004, be recorded in the public records.

Violation Charged: Seminole County Code, Chapter 95, Section 95.4 as defined in Section 95.3(l).
Described as: 1) Junk or abandoned vehicle not kept within an enclosed garage or an attached carport.
Location: 103 Lilac Lane, Altamonte Springs (Commission District 4)
Tax Parcel ID # 14-21-29-507-0000-0210

Dorothy Hird, Code Enforcement Officer, testified on behalf of the County and advised the Board that the property is in compliance at this time.

Elfriede Arsenault, Daughter of the Respondents, testified on their behalf and made a request of the Board to reduce or rescind the fine imposed.

After discussion of this case by the Board:

**MOTION BY BILL FAHEY, SECONDED BY LARRY LAWVER
THAT THE ORDER RESCINDING FINE/LIEN BE:**

ORDER RESCINDING FINE/LIEN

The Respondent is the owner of record of the property (Tax Parcel # 14-21-29-507-0000-0210) located at 103 Lilac Lane, Altamonte Springs, located in Seminole County and legally described as follows:

LEG LOT 21 SPRING GARDENS PB 15 PG 97

This case came on for public hearing before the Code Enforcement Board of Seminole County on the June 24, 2004, after due notice to the Respondent. The Board, having heard testimony under oath and having received evidence, issued its Findings of Fact, Conclusions of Law and Order.

Said Order found Respondent in violation of Seminole County Code, Chapter 95, Section 95.4 as defined in 95.3(l).

Said Order stated that a fine in the amount of \$25.00 per day, would be imposed if the Respondent did not take certain corrective action by July 23, 2004.

SEMINOLE COUNTY CODE ENFORCEMENT BOARD HEARING
SEPTEMBER 23, 2004

An Affidavit of Non-Compliance has been filed with the Board by the Code Enforcement Officer, which Affidavit certifies under oath that the required action had not been obtained as of July 27, 2004.

An Affidavit of Compliance has been filed with the Board by the Code Enforcement Officer, which Affidavit certifies under oath that the required action has been obtained as of August 9, 2004.

Accordingly, it having been brought to the Board's attention that Respondent has complied with the Order dated June 24, 2004, the Board orders that the fine of **\$375.00**, for 15 days of non-compliance at \$25.00 per day for July 24, 2004 through and August 8, 2004, be **rescinded**.

This Order shall be recorded in the official land records of Seminole County.

DONE AND ORDERED this 23rd day of September, 2004, in Seminole County, Florida.

**TOM HAGOOD – YES
STEWART FRITZ – YES
JAY AMMON – YES**

**BILL FAHEY – YES
ANNE BLAKEY – YES
LARRY LAWVER – YES**

MOTION CARRIED 6 – 0.

.....
Case No 03-78-CEB
Gwendolyn Ingram
Code Enforcement Officer: Dorothy Hird
Complaint No: 03-3137

This is a repeat violation. The original violation was heard by the Board on September 25, 2003 and an Order was entered. Case was brought before the Board for a lien request on January 22, 2004 and continued to March 18, 2004 by the Board. Compliance was obtained on March 5, 2004. This case was heard by the Board on March 18, 2004 and an Order Rescinding Fine/Lien was entered by the Board. An Affidavit of Repeat Violation was filed by the Code Enforcement Officer stating that the violation was being repeated as of July 21, 2004. An Affidavit of Compliance After Repeat Violation was filed by the Code Enforcement Officer stating that the violation was in compliance as of August 5, 2004. This property is presently in compliance.

SEMINOLE COUNTY CODE ENFORCEMENT BOARD HEARING
SEPTEMBER 23, 2004

Requested Board action: Staff requests that the Board issue an Order constituting a Fine on a Repeat Violation in the amount of \$1,400.00, for 14 days of non-compliance from July 21, 2004 to August 4, 2004 at \$100.00 per day, be recorded in the public records.

Violation Charged: Seminole County, Chapter 95, Section 95.4 as defined in Section 95.3(l) and Seminole County Land Development Code, Chapter 30, Section 30.182 & 30.183.

Described as: 1) Junked or abandoned vehicles not kept within an enclosed garage or an attached carport.
2) A business or extension of a business not permitted or conditional use in a residential zone.

Location: 125 Leon Street, Altamonte Springs (Commission District 4)
Tax Parcel ID # 18-21-30-507-0000-0670

Dorothy Hird, Code Enforcement Officer, testified on behalf of the County and advised the Board that this is a Repeat Violation and that the property is in compliance at this time. Officer Hird also advised the Board that Staff would recommend a lien in the amount of \$700.00 using a daily fine of \$50.00 per day.

After discussion of this case by the Board:

**MOTION BY STEWART FRITZ, SECONDED BY ANNE BLAKEY
THAT THE BOARD ACCEPT STAFF RECOMMENDATION.**

Bill Fahey advises that he believes the Board should accept the recommendation of a lien in the amount of \$1,400.00 using a daily fine of \$100.00 per day.

After additional discussion of this case by the Board, Stewart Fritz amends his Motion as follows:

**MOTION BY STEWART FRITZ, SECONDED BY ANNE BLAKEY THAT
THE FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER
ON A REPEAT VIOLATION PRESENTLY IN COMPLIANCE BE:**

FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER
ON A REPEAT VIOLATION PRESENTLY IN COMPLIANCE

Based on the testimony and evidence presented in case number 03-78-CEB, it is determined that the Respondent is:

- (a) the owner of record of the property (Tax Parcel ID # 18-21-30-507-0000-0670) located at 125 Leon Street, Altamonte Springs, located in Seminole County and legally described as follows:
LEG LOTS 67 + 68 REPLAT OF WINWOOD PARK PB 3, PG 30
- (b) in possession or control of the property; and
- (c) in violation of Seminole County Code, Chapter 95, Section 95.3(1) and Seminole County Land Development Code, Chapter 30, Section 30.182 & 30.183.

It is hereby ordered that the Respondent is in repeat violation of the Seminole County Code, as stated in the original Findings of Fact, Conclusions of Law and Order dated September 25, 2003. Compliance was achieved on March 5, 2004. A re-inspection was performed on July 21, 2004, which found that the violation was being repeated.

An Affidavit of Compliance After Repeat Violation has been filed with the Board by the Code Officer, which Affidavit certifies under oath that the property was in compliance as of August 5, 2004.

Therefore, the Board orders a lien in the amount of **\$1,400.00** for 14 days of non-compliance from July 21, 2004 through August 4, 2004 at \$100.00 per day be imposed.

This Order shall be recorded in the official land records of Seminole County and shall constitute a lien against the land on which the violations exists and upon any other real or personal property owned by the Respondent.

DONE AND ORDERED this 23rd day of September, 2004, in Seminole County, Florida.

TOM HAGOOD – YES
STEWART FRITZ – YES
JAY AMMON – NO

BILL FAHEY – YES
ANNE BLAKEY – YES
LARRY LAWVER – YES

MOTION CARRIED 5 – 1.

SEMINOLE COUNTY CODE ENFORCEMENT BOARD HEARING
SEPTEMBER 23, 2004

Case No: 03-97-CEB
Richard M. Cisler & Joyce C. Laird
Code Enforcement Officer: Dorothy Hird
Compliant No: 03-7005

This is a repeat violation. The original violation was heard by the Board on December 4, 2003. The Respondents were in compliance at the time of the hearing and the Board entered an Order finding that a violation did occur, that the property was presently in compliance and if the violation was repeated, a fine of \$50.00 per day would be imposed.

Requested Board action: Staff requests that the Board issue an Order constituting a Fine on a Repeat Violation in the amount of \$650.00, for 13 days of non-compliance from July 26, 2004 to August 8, 2004 at \$50.00 per day, be recorded in the public records.

Violation Charged: Seminole County Code, Chapter 95, Section 95.4 as defined in 95.3(g)(h).
Described as: 1) Accumulation of trash and debris.
2) Uncultivated vegetation in excess of 24" in height and within 75' of a structure.
Location: 2534 Kiowa Trail (Commission District 4)
Tax Parcel ID # 20-21-30-504-0000-0490

Dorothy Hird, Code Enforcement Officer, testified on behalf of the County and advised the Board that this is a Repeat Violation and the property is in compliance at this time.

The Respondents were not present at this hearing but made a request to rescind the fine/lien via letter. This letter was entered into the record as evidence.

Officer Hird read the letter to the Board and advised the Board that the Respondents constantly repeat this violation and requested that the Board not rescind the fine/lien.

Officer Hird further testified that this is a vacant hour and there have been several complaints from the neighbors.

After discussion of this case by the Board:

**MOTION BY ANNE BLAKEY, SECONDED BY BILL FAHEY THAT
THE FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER
ON A REPEAT VIOLATION PRESENTLY IN COMPLIANCE BE:**

**FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER
ON A REPEAT VIOLATION PRESENTLY IN COMPLIANCE**

The Respondents are the owners of record of the property (Tax Parcel ID # 20-21-30-504-0000-0490) located at 2534 Kiowa Trail, Fern Park, located in Seminole County and legally described as follows:

LEG LOT 49 INDIAN HILLS UNIT 7 PB 15 PG 78

This case came on for public hearing before the Code Enforcement Board of Seminole County on December 4, 2003, after due notice to the Respondents. The Board, having heard testimony under oath and having received evidence, issued its Findings of Fact, Conclusions of Law and Order.

Said Order found that the Respondents were in compliance at the time of the hearing and had been in violation of the Seminole County Code, Chapter 95, Section 95.4 as defined in 95.3(g)(h).

Said Order stated that if the Respondents repeat the violations after the date of the hearing, a fine in the amount of \$50.00 per day would be imposed for each day the violations are repeated and would continue to accrue until the Respondents are in compliance once again.

An Affidavit of Repeat Violation has been filed with the Board by the Code Officer, which Affidavit certifies under oath that the violations were being repeated as of July 26, 2004.

An Affidavit of Compliance After Repeat Violation, has been filed with the Board by the Code Officer, which Affidavit certifies under oath that corrective action has been taken by the Respondents as of August 9, 2004.

Based on the testimony and evidence presented, the Respondent was in repeat violation of the Seminole County Code, as stated in the original Findings of Fact, Conclusions of Law and Order dated December 4, 2003.

SEMINOLE COUNTY CODE ENFORCEMENT BOARD HEARING
SEPTEMBER 23, 2004

Therefore, the Board finds that the Respondents were in repeat violation and orders that a fine in the amount of **\$650.00**, for 13 days of non-compliance from July 26, 2004 through August 8, 2004 at \$50.00 per day be imposed.

This Order shall be recorded in the public records of Seminole County, Florida.

DONE AND ORDERED this 23rd day of September, 2004, in Seminole County, Florida.

**TOM HAGOOD – YES
STEWART FRITZ – YES
JAY AMMON – YES**

**BILL FAHEY – YES
ANNE BLAKEY – YES
LARRY LAWVER – YES**

MOTION CARRIED 6 – 0.

Officer Hird made a request of the Board to increase the daily fine to \$100.00 per day if the Respondents repeat this violation.

The Board advised that they would consider raising the daily fine if this case comes before the Board in the future.

.....
Case No: 03-102-CEB
Noel & Earline Martin
Code Enforcement Officer: Dorothy Hird
Complaint No: 03-6144

This is a repeat violation. The original violation was heard by the Board on December 4, 2003 and an Order was entered. An Affidavit of Non-Compliance was filed by the Code Enforcement Officer on January 5, 2004. An Affidavit of Compliance was filed by the Code Officer on March 5, 2004. This case was brought before the Board for a lien request on March 18, 2004 and an Order Finding Non-Compliance and Imposing Fine/Lien was entered by the Board imposing a lien in the amount of \$3,450.00 for 69 days of non-compliance from December 27, 2003 through March 4, 2004. The lien remains unpaid. An Affidavit of Repeat Violation was filed by the Code Enforcement Officer stating that the violation was being repeated as of July 21, 2004. This property is not in compliance at this time.

SEMINOLE COUNTY CODE ENFORCEMENT BOARD HEARING
SEPTEMBER 23, 2004

Requested Board action: Staff requests that the Board issue an Order constituting a Fine on a Repeat Violation in the amount of \$3,200.00, for 64 days of non-compliance from July 21, 2004 up to and including September 23, 2004 at \$50.00 per day be recorded in the public records and the fine shall continue to accrue at \$50.00 per day for each day the violation continues past September 23, 2004.

Violation Charged: Seminole County Code, Chapter 95, Section 95.4 as defined in 95.3(h)(l).
Described as: 1) Junked or abandoned vehicle not kept within an enclosed garage or an attached carport.
2) Uncultivated vegetation in excess of 24" in height and located within 75' of a structure.
Location: 123 Leon Street, Altamonte Springs (Commission District 4)
Tax Parcel ID # 18-21-30-507-0000-0650

Dorothy Hird, Code Enforcement Officer, testified on behalf of the County and advised the Board that the violations remain on this property. Officer Hird advised the Board that Staff would recommend that a fine be imposed in the amount of \$3,200.00 and that the fine be increased to \$100.00 per day for each day this property remains in non-compliance after September 23, 2004.

The Respondents were not present at this hearing.

After discussion of this case by the Board:

**MOTION BY BILL FAHEY, SECONDED BY LARRY LAWVER THAT
THE FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER
ON REPEAT VIOLATION NOT IN COMPLIANCE BE:**

**FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER
ON A REPEAT VIOLATION NOT IN COMPLIANCE**

Based on the testimony and evidence presented in case number 03-102-CEB, it is determined that the Respondents are:

SEMINOLE COUNTY CODE ENFORCEMENT BOARD HEARING
SEPTEMBER 23, 2004

- (a) the owners of record of the property (Tax Parcel ID # 18-21-30-507-0000-0650) located at 127 Leon Street, Altamonte Springs, located in Seminole County and legally described as follows:
LEG LOTS 65 + 66 REPLAT OF WINWOOD PARK
PB 3 PG 30
- (b) in possession or control of the property; and
- (c) in violation of Seminole County Code, Chapter 95, Section 95.4 as defined in 95.3(h)(l).

It is hereby ordered that the Respondents are in repeat violation of the Seminole County Code, as stated in the original Findings of Fact, Conclusions of Law and Order dated December 4, 2003. Compliance was achieved on March 5, 2004. A re-inspection was performed on July 21, 2004, which found that the violation was being repeated.

Therefore, the Board orders a fine in the amount of **\$3,200.00** for 64 days of non-compliance from July 21, 2004 up to and including September 23, 2004 at \$50.00 per day and the fine shall be **increased to \$100.00 per day** and shall accrue at **\$100.00** per day for each day the violation continues past September 23, 2004.

Respondents are further ordered to contact the Seminole County Code Officer to arrange for an inspection of the property to verify compliance. Any fine imposed shall continue to accrue until such time as the Code Officer inspects the property and verifies compliance with this Order.

This Order shall be recorded in the official land records of Seminole County.

DONE AND ORDERED this 23rd day of September, 2004, in Seminole County, Florida.

**TOM HAGOOD – YES
STEWART FRITZ – YES
JAY AMMON – YES**

**BILL FAHEY – YES
ANNE BLAKEY – YES
LARRY LAWVER – YES**

MOTION CARRIED 6 – 0.

.....

SEMINOLE COUNTY CODE ENFORCEMENT BOARD HEARING
SEPTEMBER 23, 2004

Case No: 04-64-CEB
Willie G. McKelvey Life Estate
Eva Sherman, ET AL
Code Enforcement Officer: Dorothy Hird
Complaint No: 2004CE000417

New Case

Violation Charged: Seminole County Code 95.4, as defined in Section 95.3(g)(h)(l).
Described as: 1) Accumulation of trash and debris.
2) Uncultivated vegetation in excess of 24" in height, within 75' of a structure.
3) Junk or abandoned vehicle not kept within an enclosed garage or an attached carport.
Location: 248 Jackson Street, Altamonte Springs (Commission District 4)
Tax Parcel ID # 07-21-30-513-0000-0190

Dorothy Hird, Code Enforcement Officer, testified on behalf of the County and entered into evidence photographs of the violations and advised the Board that she inspected this property the day before and the violations remain. Officer Hird also advised the Board that this is an abandoned house.

The Respondents were not present at this hearing.

Officer Hird advised the Board that Staff would recommend a compliance date of October 15, 2004 and a fine of \$50.00 per day if the Respondent does not comply by the required date.

After discussion of this case by the Board:

**MOTION BY ANNE BLAKEY, SECONDED BY LARRY LAWVER THAT
THE FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER BE:**

FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER

Based on the testimony and evidence presented in case number 04-64-CEB, it is determined that the Respondents are:

- (a) the owners of record of the property (Tax Parcel ID # 07-21-30-513-0000-0190) located at 248 Jackson Street, Altamonte Springs, located in Seminole County and legally described as follows:
LEG LOT 19 HAYMANS ADD NO 2
PB 5 PG 7

SEMINOLE COUNTY CODE ENFORCEMENT BOARD HEARING
SEPTEMBER 23, 2004

- (b) in possession or control of the property; and
- (c) in violation of Seminole County Code, Chapter 95, Section 95.4 as defined in 95.3(g)(h)(l).

It is hereby ordered that the Respondents correct the violations on or before **October 15, 2004**. In order to correct the violations, the Respondents shall take the following remedial action:

- 1) REMOVE THE ACCUMULATION OF TRASH AND DEBRIS.**
- 2) REMOVE THE UNCULTIVATED VEGETATION IN EXCESS OF 24" IN HEIGHT, WITHIN 75' OF A STRUCTURE.**
- 3) REMOVE THE JUNKED OR ABANDONED VEHICLE NOT KEPT WITHIN AN ENCLOSED GARAGE OR AN ATTACHED CARPORT.**

If the Respondents do not comply with the Order, a fine of **\$50.00 per day, per violation (possible total of \$150.00 per day)** will be imposed for each day the violations continue, or are repeated after compliance past **October 15, 2004**. **The Respondents are further ordered to contact the Seminole County Code Officer to arrange for an inspection of the property to verify compliance. Any fine imposed shall continue to accrue until such time as the Code Officer inspects the property and verifies compliance with this Order.**

This Order shall be recorded in the official land records of Seminole County and shall constitute a lien against the land on which the violation exists and upon any other real or personal property owned by the Respondent.

DONE AND ORDERED this 23rd day of September, 2004, in Seminole County, Florida.

**TOM HAGOOD – YES
STEWART FRITZ – YES
JAY AMMON – YES**

**BILL FAHEY – YES
ANNE BLAKEY – YES
LARRY LAWVER – YES**

MOTION CARRIED 6 – 0.

.....

SEMINOLE COUNTY CODE ENFORCEMENT BOARD HEARING
SEPTEMBER 23, 2004

Case No: 04-65-CEB
Thomas P. and Rita Murphy
C/o Bruce White
Code Enforcement Officer: Joann Davids
Complaint No: 2004CE001107

New Case

Violation Charged: Seminole County Code 95.4, as defined in Section 95.3(h).
Described as: 1) Uncultivated vegetation in excess of 24" in height, within 75' of a structure.
Location: 1344 Topfield Court, Apopka (Commission District 3)
1338 Topfield Court, Apopka (Commission District 3)
1332 Topfield Court, Apopka (Commission District 3)
1326 Topfield Court, Apopka (Commission District 3)
Tax Parcel ID # 17-21-29-522-0000-0260
17-21-29-522-0000-0270
17-21-29-522-0000-0280
17-21-29-522-0000-0290

Joann Davids, Code Enforcement Officer, testified on behalf of the County and entered into evidence photographs of the violation. Officer Davids also testified that this is a recurring violation and that the Respondents have made an attempt to comply but the violation still remains on these properties.

The Respondents were not present at the hearing.

Officer Davids further testified that these properties are all rental properties. Officer Davids advised the Board that Staff would recommend a compliance date of October 21, 2004 and a fine of \$100.00 per day if the Respondents do not comply by the date required.

After discussion of this case by the Board:

**MOTION BY JAY AMMON, SECONDED BY STEWART FRITZ THAT
THE FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER BE:**

FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER

Based on the testimony and evidence presented in case number 04-65-CEB, it is determined that the Respondents are:

- (a) the owners of record of the property (Tax Parcel ID # 17-21-29-522-0000-0260, 17-21-29-522-0000-0270, 17-21-29-522-0000-0280 and 17-21-29-522-0000-0290) located at 1344, 1338, 1332 and 1326 Topfield Court, Apopka, located in Seminole County and legally described as follows:
 - LEG LOT 26 GROVE HILL VILLAS PB 36 PG 70
 - And
 - LEG LOT 27 GROVE HILL VILLAS PB 36 PG 70
 - And
 - LEG LOT 28 GROVE HILL VILLAS PB 36 PG 70
 - And
 - LEG LOT 29 GROVE HILL VILLAS PB 36 PG 70
- (b) in possession or control of the property; and
- (c) in violation of Seminole County Code, Chapter 95, Section 95.4 as defined in 95.3(h).

It is hereby ordered that the Respondents correct the violation on or before **October 21, 2004**. In order to correct the violation, the Respondents shall take the following remedial action:

**1) REMOVE THE UNCULTIVATED VEGETATION IN EXCESS OF 24”
IN HEIGHT, WITHIN 75’ OF A STRUCTURE.**

If the Respondents do not comply with the Order, a fine of **\$50.00 per day, per address listed above** (for a possible total of \$200.00 per day) will be imposed for each day the violations continue, or are repeated after compliance past **October 21, 2004**. **The Respondents are further ordered to contact the Seminole County Code Officer to arrange for an inspection of the property to verify compliance. Any fine imposed shall continue to accrue until such time as the Code Officer inspects the property and verifies compliance with this Order.**

This Order shall be recorded in the official land records of Seminole County and shall constitute a lien against the land on which the violation exists and upon any other real or personal property owned by the Respondent.

SEMINOLE COUNTY CODE ENFORCEMENT BOARD HEARING
SEPTEMBER 23, 2004

DONE AND ORDERED this 23rd day of September, 2004, in Seminole County, Florida.

**TOM HAGOOD – YES
STEWART FRITZ – YES
JAY AMMON – YES**

**BILL FAHEY – YES
ANNE BLAKEY – YES
LARRY LAWVER – YES**

MOTION CARRIED 6 – 0.

.....
AT THIS TIME, THE CHAIRMAN ASKED TO ENTERTAIN A MOTION TO ACCEPT THE CONSENT AGENDA AS LISTED. MOTION BY BILL FAHEY, SECONDED BY STEWART FRITZ TO ACCEPT THE CONSENT AGENDA AS FOLLOWS:

Case No 00-101-CEB
Alan W. & Aileen S. Davis
Code Enforcement Officer: Dorothy Hird
Complaint No: 2000-03228

This is a Repeat Violation. The original violation was heard by the Board on December 7, 2000 and an Order was entered. Compliance was obtained on the original violation on October 17, 2003. An Affidavit of Repeat Violation was filed stating that the violation was being repeated as of May 24, 2004. This case was heard by the Board on July 29, 2004 and an Order of Repeat Violation was entered giving a compliance date of August 13, 2004. The property is not in compliance at this time.

Requested Board action: Staff requests the Board issue an Order constituting a lien for a Repeat Violation in the amount of \$4,000.00, 40 days of non-compliance from August 14, 2004 through and including September 23, 2004, at \$100.00 per day be recorded in the public records and the fine shall continue to accrue at \$100.00 per day for each day the violation is repeated past September 23, 2004.

Violation charged: Seminole County Code, Chapter 95, Section 95.4 as defined in Section 95.3(h).
Described as: 1) Uncultivated vegetation in excess of 24" in height and within 75' of a structure.
Location: 349 E Alpine Street, Altamonte Springs (Commission District 4)
Tax Parcel ID # 11-21-29-503-0G00-0220.

ORDER IMPOSING LIEN/FINE AFTER REPEAT VIOLATION

The Respondents are the owners of record of the property (Tax Parcel ID # 11-21-29-503-0G00-0220) located at 349 E. Alpine Street, Altamonte Springs, located in Seminole County and legally described as follows:

LEG LOTS 22 + 23 BLK G WEST ALTAMONTE HEIGHTS SEC
PB 10 PG 75

This case came on for public hearing before the Code Enforcement Board of Seminole County for repeat violation on July 29, 2004 after due notice to the Respondents. The Board, having heard testimony under oath and having received evidence, issued its Order of Repeat Violation.

Said Order found Respondents in repeat violation of the Seminole County Code, Chapter 95, as defined in Section 95.3(h).

Said Order stated that a fine in the amount of \$100.00 per day would be imposed if the Respondents did not take certain corrective action by August 13, 2004.

An Affidavit of Non-Compliance has been filed with the Board by the Code Officer, which Affidavit certifies under oath that the required action has not been obtained as of August 16, 2004.

Based on the testimony and evidence presented, the Respondents are in repeat violation of the Seminole County Code, as stated in the original Findings of Fact, Conclusions of Law and Order dated December 7, 2000 and the Order of Repeat Violation dated July 29, 2004.

Accordingly, it having been brought to the Board's attention that the Respondents have not complied with the Order of Repeat Violation dated July 29, 2004. Therefore, the Board orders that a lien in the amount of **\$4,000.00** for 40 days of non-compliance at \$100.00 per day from August 14, 2004 through and including September 23, 2004 be imposed against the property and the fine shall continue to accrue at \$100.00 per day for each day the violation is repeated past September 23, 2004.

The Order shall be recorded in the public records of Seminole County, Florida, and shall constitute a lien against the land on which the violation exists and upon any other real or personal property owned by the Respondents.

DONE AND ORDERED this 23rd day of September, 2004, in Seminole County, Florida.

.....

SEMINOLE COUNTY CODE ENFORCEMENT BOARD HEARING
SEPTEMBER 23, 2004

Case No: 04-51-CEB
George Green
Code Enforcement Officer: Dorothy Hird
Complaint No: 2003CE000370

This case was heard by the Board on July 29, 2004 and an Order was entered giving a compliance date of August 13, 2004. An Affidavit of Non-Compliance was filed by the Code Enforcement Officer stating that this property continued to be in violation as of August 16, 2004. This property is not in compliance at this time.

Requested Board action: Staff requests the Board issue an Order constituting a lien in the amount of \$2,000.00, 40 days of non-compliance from August 14, 2004 through and including September 23, 2004, at \$50.00 per day be recorded in the public records and the fine shall continue to accrue at \$50.00 per day for each day the violation is repeated past September 23, 2004.

Violation Charged: Seminole County Code, Chapter 95, Section 95.4 as defined in Section 95.3(g)(j)(l).
Described as: 1) Accumulation of trash and debris on property.
2) Used or scrap building materials.
3) Junked or abandoned vehicle not kept within an enclosed garage or an attached carport.
Location: 77 Spring Street, Altamonte Springs (Commission District 4)
Tax Parcel ID # 07-21-30-504-0000-0120

ORDER FINDING NON-COMPLIANCE AND IMPOSING FINE/LIEN

The Respondent is the owner of record of the property (Tax Parcel #07-21-30-504-0000-0120, located at 77 Spring Street, Altamonte Springs, located in Seminole County and legally described as follows:

LEG LOT 12 ORANGE ESTATES PB 16 PG 56

This case came on for public hearing before the Code Enforcement Board of Seminole County on the July 29, 2004, after due notice to the Respondent. The Board, having heard testimony under oath and having received evidence, issued its Findings of Fact, Conclusions of Law and Order.

SEMINOLE COUNTY CODE ENFORCEMENT BOARD HEARING
SEPTEMBER 23, 2004

Said Order found Respondent in violation of Seminole County Code, Chapter 95, Section 95.4 as defined in 95.3(g)(j)(l).

Said Order stated that a fine in the amount of \$50.00 per day would be imposed if the Respondent did not take certain corrective action by August 13, 2004.

An Affidavit of Non-Compliance has been filed with the Board by the Code Enforcement Officer, which Affidavit certifies under oath that the required action has not been obtained as of August 16, 2004.

Accordingly, it having been brought to the Board's attention that Respondent has not complied with the Order dated July 29 19, 2004, the Board orders that a fine of **\$2,000.00**, 40 days of non-compliance at \$50.00 per day, be imposed against the property and the fine shall continue to accrue at \$50.00 per day for each day the violations continue past September 23, 2004.

The Respondent must contact the Code Enforcement Officer to arrange for an inspection of the property to verify compliance. The fine imposed shall continue until such time as the Code Enforcement Officer inspects the property and establishes the date of compliance.

This Order shall be recorded in the official land records of Seminole County and shall constitute a lien against the land on which the violations exists and upon any other real or personal property owned by the Respondents.

DONE AND ORDERED this 23rd day of September, 2004, in Seminole County, Florida.

**TOM HAGOOD – YES
STEWART FRITZ – YES
JAY AMMON – YES**

**BILL FAHEY – YES
ANNE BLAKEY – YES
LARRY LAWVER – YES**

MOTION CARRIED 6 – 0.

.....

SEMINOLE COUNTY CODE ENFORCEMENT BOARD HEARING
SEPTEMBER 23, 2004

VII Approval of the minutes from the meeting of August 26, 2004.

**MOTION BY BILL FAHEY, SECONDED BY JAY AMMON TO APPROVE
THE MINUTES FROM THE MEETING OF AUGUST 26, 2004.**

**TOM HAGOOD – YES
STEWART FRITZ – YES
JAY AMMON – YES**

**BILL FAHEY – YES
ANNE BLAKEY – YES
LARRY LAWVER – YES**

MOTION CARRIED 6 – 0.

VIII Confirmation date of next meeting: October 28, 2004

IX Old Business – None

X New Business –

**Stewart Fritz, Bill Fahey and Larry Lawver advised that they will not be
present at the October hearing.**

**XI Adjourn – There being no further discussion, this meeting was adjourned at
2:40 pm.**

Respectfully submitted:

**Connie R. DeVasto
Clerk to the Code Enforcement Board**

**Tom Hagood
Chair**

09-23-04 minutes